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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,429	12/20/2004	Peter Parnes	1501-1284	6765
466 7590 07/11/2007 YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			EXAMINER KIM, HEE SOO	
			ART UNIT 2109	PAPER NUMBER
			MAIL DATE 07/11/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/518,429

Applicant(s)

PARNES, PETER

Examiner

Hee Soo Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12/20/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 5-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12/20/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 12/20/2004 was filed after the mailing date of 12/20/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Objections***

Claims 5 and 7 are objected to because of the following informalities:

- Claim 5 at the end of the preamble, "...the apparatus comprising," should be a colon instead of a comma.
- Claim 7 at the end of the preamble, "...the method comprising the steps of," should be a colon instead of a comma.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Regarding claim 1, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.

See MPEP § 2173.05(d).

***Claim Rejections - 35 USC § 102***

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 5~9 are rejected under 35 U.S.C. 102(e) as being anticipated by Goft et al. hereinafter Goft (U.S. Patent# 6,490,586).

Regarding Claim 5,

Goft teaches an apparatus for distribution of a streamed signal within a group of users in a computer network, the users accessing client terminals (10, 20, 30, 40) for participation in a multicast session, the apparatus comprising:

a. Connecting links (12, 22, 32, 42) adapted to connect the client terminals of users and related equipment, such as capturing means (16, 26, 18, 28), to the multicast session, preferably via the Internet or other interconnecting network (Column 4, Lines 65 ~ Column 5, Lines 1~11 and Fig. 1),

b. An extension header being added to data packets of the streamed signal, the extension header comprising identification data relating to the intended recipient of a packet, characterised in that (Column 5, Lines 47~61),

c. A filtering means (14, 24, 34, 44) associated with the receiving client is adapted to filter out data packets comprising identification data in the extension header identifying the recipient and receiving the streamed signal (Column 6, Lines 18~29).

Regarding Claim 6,

Goft teaches an apparatus for distribution of a streamed signal according to claim 5, characterised in that the transmitted signal is encoded by the sending client terminal and decoded by the intended recipient only at the receiving client terminal by means of a separately provided decryption key (Column 5, Lines 61~65 and Column 6, Lines 18~29).

Regarding Claim 7,

Goft teaches a method for distributing a streamed signal via the Internet or other interconnecting network within a group of users in a computer network, the users accessing client terminals (10, 20, 30, 40) for participation in a multicast session (Column 4, Lines 65 ~ Column 5, Lines 1~11 and Fig. 1), the method comprising the steps of:

a. Adding an extension header to data packets of the streamed signal, the extension header identifying the intended recipient of a packet (Column 5, Lines 47~61), characterised by

b. Filtering out data packets comprising identification data in the extension header identifying the recipient and allowing them to pass through a filtering means (14, 24, 34, 44), which is associated with the receiving client (Column 6, Lines 18~29).

Regarding Claim 8,

Goft teaches a computer program product for distributing a streamed signal within a group of users in a computer network, the computer program product being

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integrated and transmissible between comprised units according to claim 5, and the computer program product being adapted for carrying out the method steps of:

a. Adding an extension header to data packets of the streamed signal, the extension header identifying the intended recipient of a packet (Column 5, Lines 47~61), characterised by

b. Filtering out data packets comprising identification data in the extension header identifying the recipient and allowing them to pass through a filtering means (14, 24, 34, 44), which is associated with the receiving client (Column 6, Lines 18~29).

Regarding Claim 9,

Goft teaches a computer program product for distributing a streamed signal within a group of users in a computer network, the computer program product being integrated and transmissible between comprised units according to claim 6, and the computer program product being adapted for carrying out the method steps of:

a. Adding an extension header to data packets of the streamed signal, the extension header identifying the intended recipient of a packet (Column 5, Lines 47~61), characterised by

b. Filtering out data packets comprising identification data in the extension header identifying the recipient and allowing them to pass through a filtering means (14, 24, 34, 44), which is associated with the receiving client (Column 6, Lines 18~29).

***Conclusion***

**Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant.

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Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hee Soo Kim whose telephone number is (571) 270-3229. The examiner can normally be reached on Monday - Friday 7:30AM - 5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marvin Lateef can be reached on (571) 272-5026. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HSK  
6/25/07

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MARVIN LATEEF  
SUPERVISORY PATENT EXAMINER